

**MINUTES OF AN EMERGENCY JOINT MEETING OF THE
COMMON COUNCIL AND UTILITY SERVICE BOARD
OF THE CITY OF JASPER, INDIANA
JUNE 29, 2012**

An emergency joint meeting of the Common Council and Utility Service Board of the City of Jasper, Indiana, was held on Friday, June 29, 2012 in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order.

Mayor Terry Seitz called the meeting to order at 10:00 a.m.

Roll Call - Council.

Financial Coordinator Sharon Sander then called the roll:

Mayor Terry Seitz	Present
Council members:	
Greg Schnarr	Absent
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Absent
City Attorney Sharon Bohnenkemper	Present
Clerk-Treasurer Juanita S. Boehm	Absent

Financial Coordinator Sander announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. Five of the seven council members were in attendance, which is a majority; therefore, there was a quorum for the meeting.

Roll Call – Utility Service Board.

Mayor Terry Seitz then asked Secretary Mike Harder to call the roll for the Utility Service Board:

Wayne Schuetter – Chairman	Absent
Rick Stradtner – Vice Chairman	Absent
Mike Harder – Secretary	Present
Doug Schulte – Water Commissioner	Present
Alex Emmons – Wastewater Commissioner	Present
Greg A. Krodel – Gas Commissioner	Present
Ken Sendelweck – Electric Commissioner	Absent

Secretary Mike Harder announced that in order to have a quorum for the meeting, a majority of the utility service board members must be in attendance. Four of the seven members were in attendance, which is a majority; therefore, there was a quorum for the meeting.

Pledge. Mayor Seitz then invited those in attendance to join him in reciting the Pledge of Allegiance.

Purpose. Mayor Seitz said the purpose of the meeting is to address the ongoing concerns related to the City's water supply. The Mayor then turned the meeting over to Mike Oeding, Gas and Water Manager, to update the Council and Utility Service Board on his areas of concern.

Oeding informed everyone that Patoka Reservoir had lowered the discharge at the Lake to 20 cubic feet per second (cfs) several weeks ago. The Water Treatment Plant was doing fine until last Sunday when the pool started dropping rapidly at the plant. There is no longer any water going across the dam at the 3rd Avenue bridge.

The Mayor and Oeding called the Corps of Engineers on Thursday and asked them to increase the discharge rate from Patoka Lake. They said they did not have the authority to increase the discharge rate until it reached a certain level. The State of Indiana controls the top portion of the lake.

Oeding and the Mayor then contacted DNR and they authorized to increase the discharge rate from 20 to 30 cfs yesterday. The extra 10 cfs did not help at all. Oeding said there was hardly any water coming across the dam yet in Dubois this morning. Oeding immediately called DNR again to increase the discharge rate to 40 cfs today. Because Patoka River is so dry it is taking a long time for the water to make it to Jasper. Oeding hopes the additional water reaches Jasper by Sunday.

Oeding said he also authorized renting from an Evansville equipment dealer an additional pump that is capable of pumping 2,000 gallons per minute. This will supplement the raw water intake from the river. The pump should be arriving shortly and will help increase the plant's pumpage.

Secretary Mike Harder filled in for the absent Chairman, Wayne Schuetter, and asked for a motion to approve the rental of the additional pump.

Thereafter, a **motion** was made by Alex Emmons and seconded by Doug Schulte to approve the rental of the additional pump to pump water out of the river. Motion carried 4-0.

Oeding said another problem they have is customer usage. He feels that we need to cut customer usage. The problem is beyond asking for a voluntary cut in usage. Oeding said they need to institute a mandatory usage cut. The usage peaks during the evening and night, when people are at home sprinkling their yards and landscaping. The City has half of the water it needs to have in the clear well. This slows down the backwashing of the filters. Oeding hopes that between the rental of the additional pump and a ban on all sprinkling they can build the levels back up in the clear well to allow for the backwashing of the filters. If they cannot get the filters backwashed, the whole City could be under a boil alert for an extended period of time.

The DNR would like to cut the discharge rate back down to 30 cfs as soon as they can, due to water levels in the lake getting low and being in danger of having to

close boat ramps and recreational activities on the lake. Oeding and the Mayor are scheduled to have a call with the DNR again on Monday to discuss the discharge rate.

Some discussion took place on fire protection. Oeding said if a fire were to occur with the water levels where they are now, it would be difficult to keep up with the demand for water from the fire trucks. He said they would need to put the fire out quickly.

Mayor Seitz said this is not yet a crisis, but it is definitely an emergency. He reiterated to both the Council and Utility Service Board that Oeding would like to see some mandatory conservation measures/restrictions be put in place to safeguard the City's water supply.

Mayor Seitz said the City has already ceased all lawn sprinkling, except for the golf course greens, which are extremely expensive to replace and the Central Green fountain has been shut off.

Much discussion followed as to what types of mandatory conservation measures should be put in place and how to handle violators of such measures.

The Mayor reminded both the Council and Utility Service Board that if a mandatory conservation measure were put into place, notification to the public would have to be made by first class mail or by door-to-door notification. The Mayor feels that notification by first class mail will not be fast enough and contingencies are already being put into place should we need to go door-to-door this afternoon. City employee volunteers will assemble at the Train Depot to go door-to-door. The City may ask for volunteers from the public as well. Large water users would also be contacted via phone.

Council member Tom Schmidt asked about being able to stop personal fireworks, since they are a fire hazard during this dry time. Mayor Seitz said the City does not have the authority to ban personal fireworks. Randy Buchta then asked about the public fireworks display to be put on by the Strassenfest Committee. All the Council members said the public fireworks display should be stopped.

City Attorney Sharon Bohnenkemper said the Utility Service Board and the Council would need to declare a water conservation emergency based on the public water shortage and that mandatory conservation is necessary and that during this period of severe water shortage, the following activities would be prohibited, and then list the specific prohibitions. Bohnenkemper also suggested saying that the City of Jasper reserves the right to limit or provide exception for the maintenance of adequate health, safety and sanitary conditions, for any types of things that come up that might not have been addressed during this meeting.

Thereafter, a **motion** was made by Doug Schulte to institute mandatory conservation measures which prohibit lawn and landscaping sprinkling, washing vehicles (commercial car washes excluded), and washing outside surfaces, such as driveways, sidewalks, and power washing exteriors, with penalties as follows: 1st

offense – warning, 2nd offense - \$100 fine, 3rd offense - \$200 fine and/or disconnection of water service. The motion was seconded by Greg Krodel.

After some discussion, Alex Emmons amended the previous motion to add the declaration of a mandatory water conservation emergency to the stated prohibitions and penalties, based on the City Ordinance under Chapter 11.05.050, as well as adding, the City reserves the right for exceptions for the maintenance of adequate health, safety and sanitary conditions. The amended motion carried 4-0.

Thereafter, a **motion** was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to accept the motion approved by the Utility Service Board. Motion carried 5-0.

City Attorney Sharon Bohnenkemper mentioned that both Boards may want to make another motion to allow the Mayor to end or supplement the mandatory water conservation emergency measures in the absence of another emergency meeting or allow the Mayor to delegate that responsibility to another individual should he be out of town.

A **motion** was made by Alex Emmons and seconded by Doug Schulte to allow the Mayor to end or supplement the mandatory water conservation emergency measures, after consultation with Mike Oeding, Gas and Water Manager, and to delegate that responsibility to Council President Pro-Tempore, Tom Schmidt, in the Mayor's absence. Motion carried 4-0.

The same **motion** made by the Utility Service Board was then made by Council member David Prechtel and seconded by Council member Randall Buchta for the Common Council. Motion carried 5-0.

After the previous discussion on fireworks, a **motion** was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to postpone the Strassenfest fireworks to a later date, due to the mandatory water conservation emergency in effect. Motion carried 5-0. A separate notice will be given and the Strassenfest Committee will be notified immediately.

Adjournment by Council. There being no further business to come before the Council, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 5-0 and the meeting adjourned at 11:02 a.m.

Adjournment by Utility Service Board. There being no further business to come before the Utility Service Board, a motion was made by Alex Emmons and seconded by Greg Krodel to adjourn the meeting. The motion carried 4-0 and the meeting adjourned at 11:02 a.m.

The minutes were hereby approved by the Common Council ____ with X without corrections or clarification this 18th day of July, 2012.

Attest:

Mayor Terry Seitz
Presiding Officer

Juanita S. Boehm, Clerk-Treasurer

The minutes were hereby approved by the Utility Service Board _____ with X
without corrections or clarification this 16th day of July, 2012.

Attest:

Wayne Schuetter, Chairman

Mike Harder, Secretary